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THE HON'BLE SRI JUSTICE E. DHARMA RAO

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WRIT PETITION NO. 17068 OF 2005

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DATED 03.08.2005

Between:

1. Pasam Vanitha W/o Mahesh, 36 years, Occ. Agriculture, R/o Padgal Village, Vailpoor Mandal, Nizamabad District.

Petitioner

and

1. The Mandal Revenue Officer, Vailpoor Mandal, Nizamabad District and others.

Respondents

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ORAL ORDER:

Heard both sides.

In this Writ Petition, petitioner is seeking a writ of certiorari, calling for the records relating to the order No. A/25616/2004, dated 20.4.2005 passed by the first respondent as illegal, arbitrary, without jurisdiction and contrary to the provisions of A.P. Assigned Lands (Prohibition of Transfer) Act 1977 and the rules made there under and consequently direct the first respondent not to evict the petitioner on the ground that she is an encroacher from the land in S.No. 561/57/A extent Ac. 1.20 guntas situated at Padgal Village, Vailpoor Mandal, Nizamabad District.

When the matter is taken up for admission, the learned Government Pleader for Revenue, took an objection with regard to the maintainability of the Writ Petition, on the ground that an effective and efficacious alternative remedy is provided under Section 4(A) of the A.P. Assigned Lands (Prohibition of Transfer) Act, 1977, to the Revenue Divisional Officer. The petitioner without availing the same straight away approached this court by way of present Writ Petition. Hence, the Writ Petition is not maintainable.

Accordingly, the Writ Petition is dismissed. No order as to costs. Registry is directed to return all the original papers to the petitioner counsel.

ELIPE DHARMA RAO,J

DATED: 3.8.2005

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